

ASSEMBLY BILL

No. 249

Introduced by Assembly Member Donnelly

February 6, 2013

An act to amend Section 630 of the Penal Code, relating to invasion of privacy.

LEGISLATIVE COUNSEL'S DIGEST

AB 249, as introduced, Donnelly. Invasion of privacy.

Existing law makes wiretapping without the consent of all parties to the communication, or in an unauthorized manner, a crime. Existing law further declares that advances in science and technology have led to the development of new devices and techniques for the purpose of eavesdropping upon private communications and that the invasion of privacy resulting from the continual and increasing use of those devices and techniques has created a serious threat to the free exercise of personal liberties and cannot be tolerated in a free and civilized society. Existing law expresses the intent of the Legislature to protect the right of privacy of the people of California.

This bill would make a technical, nonsubstantive change to those provisions describing the invasion of privacy resulting from the use of those devices.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 630 of the Penal Code is amended to
2 read:

1 630. (a) The Legislature hereby declares that advances in
2 science and technology have led to the development of new devices
3 and techniques for the purpose of eavesdropping upon private
4 communications and that the invasion of privacy resulting from
5 the continual and increasing use of ~~such~~ *those* devices and
6 techniques has created a serious threat to the free exercise of
7 personal liberties and cannot be tolerated in a free and civilized
8 society.

9 ~~The~~
10 (b) *The* Legislature by this chapter intends to protect the right
11 of privacy of the people of this state.

12 ~~The~~
13 (c) *The* Legislature recognizes that law enforcement agencies
14 have a legitimate need to employ modern listening devices and
15 techniques in the investigation of criminal conduct and the
16 apprehension of lawbreakers. Therefore, it is not the intent of the
17 Legislature to place greater restraints on the use of listening devices
18 and techniques by law enforcement agencies than existed prior to
19 the effective date of this chapter.